method and apparatus for simulating a real-time sports event, wherein participants are those of the live sporting event and remote users over a computer network.

Kholsa discloses a game system wherein remote viewers are able to simultaneously simulate a real sports event. Sensors are located at the real sporting event that are used by a simulator to replicate the 'real world' event in the simulated game. Kholsa describes the integration of a real world event with a simulated event in depth, but notes some problems "because live event 100 proceeds completely independently of the simulated participants" (C6, L23-25). Kholsa describes an embodiment wherein a broadcast television signal may have some embedded transmissions that are used by the interactive game. The embedded transmissions are used by interactive devices such as computers to create the 'real world' effects of the game play. Kholsa goes on to describe a server that collects input data from the various simulated participants and sends that information to the various simulated participants.

There is no disclosure in Kholsa of creating and broadcasting a television signal that is based upon the interactive input of the game participants. Claims 9 and 13 recite "creating a video signal of game play based on said input" and "broadcasting said video signal over a television network to a plurality of viewer's televisions."

In other words, Kholsa does not disclose playing an interactive game wherein the play of the game is broadcast to non-playing viewers.

For these reasons, this application is considered to be in condition for allowance as such action is earnestly solicited.

Dated this 26th day of March 2003.

Respectfully submitted,

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